

David Ryan  
October 1, 2015

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TRACEY WHITE, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	Cause No. 14-cv-01490-HEA
	)	
THOMAS JACKSON, et al.,	)	
	)	
Defendants.	)	

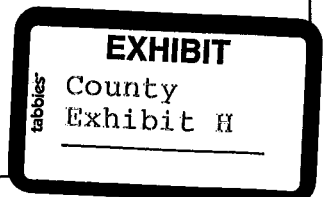
DEPOSITION OF DAVID RYAN

Taken on behalf of the Plaintiffs

October 1, 2015

Reported by: Christine A. LePage, CCR #1000

LePAGE REPORTING SERVICE  
1465 Wilkesboro Drive  
Dardenne Prairie, Missouri 63368  
(314) 616-2113



1           **Q     So how were you all dressed, what was your**  
2 **attire?**

3           A     My dress is the uniform you see here, the brown  
4 shirt, badge, name tag, brown pants with a stripe down the  
5 side, and I had the external vest carrier on that carried  
6 a ceramic plate in the front and back.

7           **Q     Okay. And what about your team members?**

8           A     Some team -- I'm trying to think what everybody  
9 was dressed like. I do not recall everybody's dress.  
10 Depending on if you're part of the arrest team or not, you  
11 could be in BDUs, because they didn't want stuff grabbed  
12 off their belts if they were going into a crowd, rustled  
13 with, so we had different fashions of the uniform based on  
14 what they were assigned to do.

15          **Q     Any of your people in tactical gear?**

16          A     What do you consider tactical gear?

17          **Q     The big vests, the helmet with the mask, the**  
18 **lethal and nonlethal shotgun, the assault M4 I guess type**  
19 **weapon, things of that nature.**

20          A     No to rifles, no to less lethal rifle or  
21 shotgun. Helmets, yes, due to the fact that we had taken  
22 shots to the head in the previous days and things being  
23 thrown at us, so it was encouraged for officers to wear  
24 helmets, and outer vests, that was up to each officer.  
25 Most officers wore them because of what was going on the

1 nights before, and we didn't know how long we would be  
2 deployed on those lines.

3 **Q All right. Now, what's an arrest team?**

4 A An arrest team is four individuals that are set  
5 up that when are given direction to seek out an individual  
6 that committed a crime, that the commander or whoever's in  
7 charge of the skirmish line feels that they need to go to  
8 jail.

9 **Q All right. So you all start out, do you**  
10 **remember where?**

11 A I was down by the Public Storage lot, I think  
12 that's Highmont and West Florissant, down by -- across  
13 from the QT, the burned out QT, where the major protests  
14 were every evening.

15 **Q All right. And then I take it that you all then**  
16 **began walking on West Florissant?**

17 A Teams were separated due to the fact of we had  
18 to create two different areas. We had to cordon off West  
19 Florissant by the QT, because we didn't want traffic  
20 coming down, so they were blocking that off so the  
21 protesters had an area to protest each night, then we had  
22 to block off and clear the business areas along West  
23 Florissant because of the violence that had occurred the  
24 days before so that nobody would get injured. That was  
25 the main goal is to prevent -- preserve life and property.

1           Q     All right. And so at this point what is the  
2     objective?

3           A     Still clearing persons away from the area to  
4     make sure that they're safe, because nighttime's coming,  
5     and they're securing businesses so that they're not looted  
6     or burnt down.

7           Q     Okay. So would it be fair to say you were  
8     trying to get everybody out of there?

9           A     Absolutely, because we know what's coming.

10          Q     All right. Now, so where are you headed now?  
11     Well, not you, but the group. Where is the group headed  
12     now?

13          A     Still clearing the Ferguson Market off the back,  
14     trying to secure a line-up up towards Sharondale due to  
15     the fact that the evenings before we were attacked from  
16     people, protesters on that hill.

17          Q     All right. What street is that out there to the  
18     left?

19          A     Ferguson Avenue.

20          Q     Okay. So Florissant --

21          A     Ferguson.

22          Q     Wait a minute. Florissant is the major  
23     thoroughfare, correct?

24          A     Yes, sir, and it's shut down.

25          Q     And then that street to the -- to this side,

1 (indicating,) is Ferguson?

2 A Yes, sir.

3 Q Okay. And so you all are directing the folks to  
4 Ferguson?

5 A Onto Ferguson Avenue towards the top of the  
6 hill, yes, sir.

7 Q Are you in here yet?

8 A No, you don't see me yet. I'm there, but no  
9 video of me.

10 Q All right. Okay. Now, tell me what's going on  
11 here.

12 A Continuing moving up Ferguson Avenue.

13 Q All right. So you've left the Ferguson Market?

14 A Ferguson Market, we just passed it on the  
15 right-hand side.

16 Q So you left that parking lot?

17 A Yes, sir, it's secure.

18 Q And now you're moving up Ferguson?

19 A Correct. What this does not depict is you see  
20 there's officers behind that have closed down Ferguson  
21 Avenue and West Florissant Avenue so that traffic cannot  
22 come either way.

23 Q Okay. And so if one were to continue walking up  
24 Ferguson, you would go where?

25 A To the top of the hill. And if you come off

1 of -- I can't remember the name of the road that connects  
2 with it, it leads to Florissant Road.

3 Q Okay.

4 A Which is where the Ferguson PD is at.

5 Q All right.

6 A So that's the way to come through to -- for  
7 anybody to get picked up, and that was instructed to  
8 people.

9 Q And to the right -- The street up here to the  
10 right would be what, up Ferguson, and the first street you  
11 come to.

12 A Sharondale, I believe.

13 Q Sharondale, okay, and where does that lead to?

14 A An apartment complex.

15 Q And is there a way out of that apartment  
16 complex?

17 A Yes, sir, there is.

18 Q Okay.

19 A It loops around, and then there's one entrance  
20 here and one entrance a little further up, (indicating).

21 Q Okay. Are you --

22 A You saw me walk backwards, making sure  
23 everything was set up behind.

24 Q All right.

25 A We're giving people ample opportunity to move,

1 things of that nature. Here's cars, waiting for them to  
2 turn around, giving ample time for everybody to move out  
3 of the way.

4 Q And the next time you see yourself, can you  
5 point it out to me?

6 A Sure.

7 Q What units are being shown here?

8 A I couldn't tell you. There's numerous units  
9 there, numerous officers from numerous departments.

10 Q Okay. Here's the last one.

11 A You want me to expand on that one?

12 Q Sure.

13 A Everybody was deployed, nobody knew when we were  
14 coming back, so there's numerous officers from  
15 St. Charles, St. Louis County, Ferguson, Highway Patrol,  
16 and I couldn't tell you who else was there, because there  
17 was a code, so you have multiple agencies showing up to  
18 come to the scene. Does that make sense?

19 Q That makes sense. All right. This is the last  
20 one.

21 A I'm right there, (indicating).

22 Q Where? Oh, I see, okay.

23 A Once again, just waiting for everybody to leave.  
24 There's people over there that are entering the apartment  
25 complex.

1     you're trying to say.

2             MR. PLUNKERT: I can get you back.

3             Q     (by Mr. Lattimer) Oh, that way. Okay. That --

4             A     Apparently she said, yes, a man told me to stop  
5     right there.

6             Q     And that's her son there, correct?

7             A     Correct. Now, also we'll say this video did not  
8     depict every incident directed at Miss White. That's her  
9     name, correct, Miss White?

10            Q     Yeah.

11            A     You do not see officers talking to her, that  
12     camera does not show all of when she was being talked to.

13            Q     Again, where are you in this?

14            A     I couldn't tell you.

15            Q     Oh, you don't see yourself?

16            A     Huh-uh.

17            Q     Okay. So, well, I mean --

18            A     There I am, I'm standing right down there,  
19     (indicating).

20            Q     Where?

21            A     Right there, (indicating). Been standing there  
22     the whole time.

23            Q     Oh, so you were down here by the truck?

24            A     By the truck.

25            Q     So you never went up to where she was?

1           A     No, sir.

2           Q     So how do you know people were talking to her?

3           A     Because if you look back, I instructed people to  
4 go talk to people, tell them to move.

5           Q     Okay. Where were they supposed to go?

6           A     If they would have moved a little further up to  
7 where we can get this truck out, everything would have  
8 been cleared.

9           Q     You know what I'm saying, the people who went to  
10 the right, where were they supposed to go?

11          A     They had to move further back into the --

12          Q     No, I mean Sharondale, see, this is Sharondale  
13 here, and the people who were -- who are on Sharondale,  
14 where were they supposed to go?

15          A     We need a map so I can see, a piece of paper or  
16 something we can depict this. Do you have the overall  
17 Yahoo map?

18          Q     I do not have a map of this.

19          A     That way we can square up so we're both on the  
20 same page.

21          Q     Okay. All right. Now, she was saying that  
22 someone told her to go and stop at --

23          A     I, in fact, talked to her at McDonald's and told  
24 her to go up to the top of the hill on Sharondale, that is  
25 not depicted in that video. If you would have played the

1       went to Sharondale, right?

2           A       Correct, sir.

3           Q       And then when she got to Sharondale, her husband  
4       still hadn't picked her up, right?

5           A       Correct.

6           Q       And then she's told to move again, correct?

7           A       Correct.

8           Q       And she's supposed to go either, according to  
9       Officer McCoy, into the apartment complex or keep walking,  
10      right?

11          A       Up Ferguson Avenue.

12          Q       And go where?

13          A       If you go up a little bit further, it's the top  
14      of the hill, same thing, could have been picked up right  
15      there. There's another entrance right there.

16          Q       Okay. And so what was the law that they were  
17      breaking?

18          A       Which time?

19          Q       When they were arrested, those two, Ms. White  
20      and Mr. Davis.

21          A       What you failed to talk about was at the  
22      McDonald's when I was getting yelled at by Miss White that  
23      she was offered a phone because she said her phone was  
24      dead. I offered her my cell phone so she could call her  
25      husband, and you can hear that in the video, she even said

1 she's not going to use my cell phone. I offered her to  
2 use the cell phone to call her husband, I explained to her  
3 that West Florissant was shut down, that everybody needed  
4 to be picked up on top of Ferguson and Sharondale.

5 Now, as we all know, plans change as things  
6 move, as things are thrown at us. Your line of  
7 questioning, for example, will change as answers are  
8 given. As I'm approaching Sharondale, I have to call an  
9 audible due to the fact where the truck was located.

10 Q Well, what did the truck have to --

11 A I don't know --

12 Q Let me finish. What did the truck have to do  
13 with her waiting for her husband there?

14 A We were moving people out of the way so we could  
15 remove that truck. Do we know who's in that truck or what  
16 that truck was doing there?

17 Q I don't know. I assume you found out.

18 A We moved the truck. Do I know why it was there  
19 or who those people were? Not at that time. Do I know  
20 what's going on? Not at that time. Our objective was to  
21 move that truck out of the way, make sure nobody got hurt,  
22 which happened.

23 Q All right. So because -- Well, let's go from  
24 Tracey right now. Her son, his mother's arrested, he's  
25 not 18, he's a nonadult, his mother's arrested, and then

1           Q     Okay. And what I'm asking is were they under  
2     your supervision or the supervision of the captain or  
3     somebody else?

4           A     My men were under my supervision.

5           Q     Your men were under your supervision, okay. And  
6     your men effectuated the arrest of Ms. White, correct?

7           A     One of my men were there and then two others  
8     were from St. Charles County.

9           Q     Okay. And whose authority were they under?

10          A     It would have been the St. Louis County police  
11     department at the time, because we were in charge of that  
12     scene.

13          Q     Okay.

14          A     And then I was running that scene at that time.

15          Q     Okay. And Mr. Davis, same thing?

16          A     Yes, sir.

17          Q     Okay. Ever been involved in any lawsuits  
18     before?

19          A     Yes, sir.

20          Q     When I ask that question, that question does not  
21     go to your personal life, it only goes to your  
22     professional life. So with that qualification -- In other  
23     words, I'm not asking you about your personal business.

24          A     Understood.

25          Q     What I'm asking you about is your professional